

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

CHRISTINE TURNER,
Special Administrator of
the Estate of Linda Warner,
Deceased

PLAINTIFF

v.

No. 4:18-cv-468-DPM

FAULKNER COUNTY, ARKANSAS;
CHRIS RIEDMUELLER; TIM RYALS;
BOBBIE SPIVEY; ANITA WRIGHT;
MICHELLE MAHER; TERESA
COLEMAN; MARIA HILL;
TAYLOR HANEY; ERIC WHITCOMB;
MARISSA PARKS; KATIE MARTIN;
ANNA POPE; CHRISTOPHER
LISEMBEY-HALL; THAD KILPATRICK;
TYRONEISHA COLLINS; MALIK
CLEMONS; CALENE SCOTT;
TANEISHA JERNIGAN; LEANNE
DIXON; GARRY STEWART, M.D.;
KAREN D. GRANT, L.P.N.; KAREN MUNYAN,
In Her Capacity as Special Administrator
of the Estate of Monte Munyan, Deceased;
and DOES 1-10

DEFENDANTS

AMENDED JUDGMENT

1. On 12 January 2021, the Court dismissed Katie Martin, Logan Bryant, Malik Clemons, Marissa Parks, and Taylor Haney on the parties' joint stipulation and those defendants' unopposed motion. All

of Christine Turner's claims against those defendants are dismissed without prejudice.

2. On 27 January 2021, the Court dismissed Faulkner County, Chris Riedmueller, Tim Ryals, Bobbie Spivey, Anita Wright, Michelle Maher, Teresa Coleman, Maria Hill, Eric Whitcomb, Anna Pope, Christopher Lisembey-Hall, Thad Kilpatrick, Tyroneisha Collins, Calene Scott, Taneisha Jernigan, Leanne Dixon, Karen D. Grant, Does 1-10, and Karen Munyan, Special Administrator of Monte Munyan's Estate, after Turner settled all her claims against those defendants. All of Turner's claims against all those defendants are dismissed with prejudice. Based on the settlement, all of Turner's claims against Garry Stewart, M.D.—except her medical negligence claim—are also dismissed with prejudice.

3. Turner and Dr. Stewart tried the unresolved medical negligence claim to a jury in Little Rock, starting on 4 October 2021 and ending on 8 October 2021. The Court empaneled a jury of eight people. The Court granted Dr. Stewart's motion for judgment as a matter of law on the claim for punitive damages based on the entirety of his treatment decisions and on the claim for compensatory damages based on his initial treatment of Warner on 8 November 2017. After hearing all the evidence, this Court's instructions, and the parties' arguments, the jury deliberated and returned its verdict on the core medical negligence claim. That verdict is attached and incorporated.

4. At trial, the Court excluded the fact of the settlement among Christine Turner, Special Administrator of the Estate of Linda Warner, and the released defendants, persons, and entities. On Dr. Stewart's post-judgment motion, the Court granted a credit against the jury's verdict for the amount of the settlement. ARK. CODE ANN. § 16-61-204(c).

5. The Court enters an Amended Judgment on the jury's verdict, with credit for the settlement, for Christine Turner, Special Administrator of the Estate of Linda Warner, deceased, against Garry Stewart, M.D., for \$800,000 in compensatory damages, post-judgment interest, which will accrue at .27% per annum from 13 October 2021 until this Amended Judgment is paid, 28 U.S.C. § 1961(a)-(b), and costs, as allowed by law and as may be determined by this Court on timely motion. FED. R. CIV. P. 54(d); 28 U.S.C. § 1920.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

10 February 2022

VERDICT FORM

1. On the Warner Estate's negligence claim against Dr. Garry Stewart, we find for:

X The Warner Estate
 Dr. Stewart

U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS
FILED

OCT 8 2021

IN OPEN COURT
TAMMY H. DOWNS
By: _____
DEPUTY CLERK

If you found for the Warner Estate in Question 1, then answer Questions 2-4 below. If you found for Dr. Stewart in Question 1, then your deliberations are done. Your foreperson should date and sign the verdict and inform the Court that you have a verdict.

2. We find Christine Turner's mental anguish damages to be:

\$ 150,000.00

3. We find Brandy Williams's mental anguish damages to be:

\$ 150,000.00

4. We find Linda Warner's and the Warner Estate's damages to be:

• Loss of life \$ 250,000.00

• Conscious pain and suffering \$ 750,000.00

Total \$ 1,300,000.00

TAMMY
Foreperson

8 Oct 21 15:44
Date/time